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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: DA VINCI SURGICAL ROBOT
ANTITRUST LITIGATION

Lead Case No.: 3:21-cv-03825-VC

Judge: Hon. Vince Chhabria

**JOINT STIPULATION AND [PROPOSED] ORDER TO EXPAND PAGE LIMITS
FOR CERTAIN SUMMARY JUDGMENT BRIEFS**

WHEREAS, paragraph 45 of the Court's Standing Order for Civil Cases contains the following page limits that apply in the event of cross-motions for summary judgment: plaintiff's opening brief is limited to 25 pages, defendant's opening/opposition brief is limited to 25 pages, plaintiff's opposition/reply brief is limited to 20 pages, and defendant's reply is limited to 15 pages.

WHEREAS, the Plaintiffs' opening brief, filed on March 23, 2023, seeks rulings on six issues.

WHEREAS, Intuitive did not intend to address five of those six issues in its motion for summary judgment, but must now do so in its opening/opposition brief.

WHEREAS, Intuitive intends to raise in its opening/opposition brief at least one additional case-dispositive issue that Plaintiffs did not raise.

WHEREAS, given that the Parties are moving for summary judgment on several different issues, rather than filing cross-motions on the same issues, Intuitive requests a limited page-limit extension to ensure that the issues are adequately presented for the Court's consideration.

WHEREAS, Plaintiffs do not oppose this request, contingent upon Plaintiffs receiving the same number of pages in their opposition/reply brief.

WHEREAS, in the interest of efficiency and equity and subject to the Court's approval, Intuitive therefore requests, and Plaintiffs do not oppose, a four-page expansion for Intuitive's opening/opposition brief, and Intuitive does not oppose a four-page expansion for Plaintiffs' opposition/reply brief if the Court grants Intuitive's request, such that the total pages for the next two briefs would be as follows:

Event	Page Limit
Defendant's Opening/Opposition Brief (due April 13, 2023)	29 pages
Plaintiffs' Opposition/Reply Brief (due May 4, 2023)	24 pages

NOW THEREFORE, Intuitive respectfully requests that the Court amend the page limits for the next two summary judgment briefs, as set forth in the attached Proposed Order.

DATED: April 7, 2023

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[PROPOSED] ORDER

It is hereby ordered that the summary judgment page limits set forth in this Court's Standing Order for Civil Cases are modified in this case as follows: Intuitive's opening/opposition brief may not exceed 29 pages, and Plaintiffs' opposition/reply brief may not exceed 24 pages. The existing deadlines for all of these briefs remain the same. *See* ECF No. 120.

**PURSUANT TO STIPULATION, IT IS SO
ORDERED**

Dated: _____, 2023

Hon. Vince Chhabria
United States District Judge
Northern District of California

FILER'S ATTESTATION

I, Kathryn E. Cahoy, am the ECF User whose ID and password are being used to file this document. I hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1(h)(3), that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: April 7, 2023

/s/ Kathryn E. Cahoy
Kathryn E. Cahoy